# Hirch of India

## श्रसाधारण EXTRAORDINARY

भाग 11-सपम-2

PART II-Section 2

प्राधिकार से प्रकाशित

# PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पूष्ठ संख्या थी जाती है जिससे कि यह झलग संकलन के रूप में रखा जा सक Separate paging is given to this Part in order that it may be filed as a separate compilation.

### RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 21st March, 1968:—

Bill No. XIV of 1968

A Bill to provide for laying before Parliament of the regulations made under the All-India Services Act, 1951, and for certain other matters connected therewith.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

- 1. This Act may be called the All-India Services (Laying of Short Regulations before Parliament) Act, 1968.
- 2. In this Act, "regulation" means a regulation made before the Definition. commencement of this Act by the Central Government under any of the provisions of the rules framed under the All-India Services 61 of 1951. Act, 1951.

Laying of regularitions before Parliarment.

3 Every regulation shall be lard, as soon as may be, after the commencement of this Act, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions:

Provided that nothing contained in this section shall apply to any such regulation which has already open laid before each. House of Parliament.

Failure to lay regulations before Parliament not to affect validity thereof. 4. No regulation shall be deemed to be illegal or void or ever to have become illegal or void by reason only of the failure of the Central Government to lay such regulation pefore each House of Parliament; and accordingly, no such regulation or any thing done or any action taken thereunder shall be called in question before any court or other authority merely by reason of such failure.

Amendment of section 3 of Act 81 of 1951. 5. In section 3 of the All India Services Act, 1951, for sub-section (2), the following sub-section shall be substituted, namely:—

"(L, Every rule made by the Central Government under this section and every regulation [other than a regulation made before the commencement of the All-India Services (Laying of Regulations before Parliament) Act, 1968] made under, or in pursuance of, any such rule, shall be laid, as soon as may be after such rule or regulation is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which such rule or regulation is so laid or the session immediately following. both Houses agree in making any modification in such rule or regulation or both Houses agree that such rule or regulation should not be made, such rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.".

### STATEMENT OF OBJECTS AND REASONS

Some of the rules made under the All-India Services Act, 1951, empower the Central Government to make regulations in respect of certain matters. Sub-section (2) of section 3 of the said Act provides only for the laying of rules before Parliament. Consequently, regulations made up to 1st July, 1967, were not laid before Parliament.

As, however, the regulations form an integral part of the rules, it was felt that it would be appropriate to lay the regulations before Parliament in the same manner as the rules are laid. The Bill provides for the laying of regulations also before Parliament and, in addition, it seeks to validate the regulations (made prior to 1st July, 1967) which have not been laid before Parliament. Incidentally, the Bill also provides for the laying of the rules and regulations before Parliament for a period of thirty days instead of fourteen days as at present.

NEW DELHI;

VIDYA CHARAN SHUKLA

The 10th March, 1968.

B. N. BANERJEE, Secretary.